

ROYAL COMMISSION ON TRANSPORTATION ONTARIO

Chairman

MR. JUSTICE CHEVRIER
E. ROY SAYLES, Esq.
PROF. C. R. YOUNG

Secretary

DALTON WELLS
302 Bay Street
Toronto

Counsel

JOSEPH SINGER, K.C.
Temple Bldg.
Toronto

Toronto, November 2nd, 1937.

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Re: Royal Commission on Transportation.

Gentlemen:-

I enclose a copy of the amended Order-in-Council containing the terms of reference to the Royal Commission on Transportation.

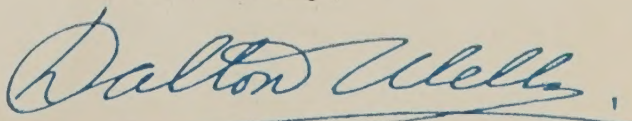
Before the sittings of the Commission commence and for the purpose of speeding up the work, the Commissioners are anxious to obtain from the parties interested in the matters under investigation, certain information pertinent to the inquiry, for the purpose of classification and compilation. Attached hereto is a request for the information which the Commissioners desire to obtain. The Commissioners would appreciate receiving six copies of this information at your early convenience.

The next public hearing will be held by the Commissioners at Osgoode Hall, in the City of Toronto, on November 22nd next.

The Commissioners request that all parties appearing before them file not later than the 12th of November next at least twelve copies of their briefs containing a complete summary of the matters which are to be raised before the Commission by such parties.

A request has been made to the Commissioners that they furnish each party interested with copies of the briefs filed by other parties. The Commission has not yet come to any decision in the matter, and would appreciate greatly the expression of your views as to the advisability of this exchange of information. If the Commission decides that briefs are to be exchanged, at least fifty copies of each brief will be required.

Yours truly,



Secretary to the Commission.

ROYAL COMMISSION ON TRANSFORMATION
ONTARIO

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Copy of an Order-in-Council approved by the Honourable Lieutenant-Governor, dated the 26th day of August, A.D., 1937, as amended and modified by subsequent Order-in-Council made on the 13th day of October, 1937.

Upon the recommendation of the Honourable the Attorney General, the Committee of Council advise that pursuant to The Public Inquiries Act, Revised Statutes of Ontario, 1927, Chapter 20, a Commission be issued appointing Edgar Rodolphe Eugene Chevrier, one of His Majesty's Justices in the Supreme Court of Ontario, Clarence Richard Young of the City of Toronto in the County of York, Professor of Civil Engineering, and Edwin Roy Sayles of the Town of Renfrew in the County of Renfrew, Publisher,- Commissioners,-

NOTE:

This paragraph substituted for original paragraph by amending O.C. 13th October, 1937.

1. To investigate, inquire into and report upon all matters pertaining to or affecting persons or corporations engaged in the business and operation of transporting freight by motor vehicles, whether for gain, or not for gain, and passengers by motor vehicles for gain, and more particularly:
 - (a) The tolls and rates charged by the owners or operators of such motor vehicles for passengers and freight and the method of fixing and determining the same;
 - (b) The taxes, license fees or other charges imposed by any taxing authority upon the owners or operators of such motor vehicles;
 - (c) The wages paid to their employees by the owners or operators of such motor vehicles;
 - (d) The hours of labour of the employees required by the owners or operators of such motor vehicles;
 - (e) The subsidies, or otherwise, contributed by any governmental body, including any municipal corporation, to the owners or operators of such vehicles.
2. To compare and report upon the tolls and rates charged by the owners or operators of such motor vehicles and all taxes, license fees or charges imposed upon them with the tolls and rates charged by and the taxes, license

fees or charges imposed upon any other mode of transportation by rail, water or air.

3. To compare and report upon the wages paid and the hours of labour demanded by the owners or operators of such motor vehicles with the wages paid and the hours of labour demanded by the owners or operators of other modes of transportation by rail, water or air.

NOTE:

This paragraph substituted for original paragraph by amending O.C. 13th October, 1937.

4. To investigate and report upon the present method of licensing and regulating such motor vehicles, and what further provisions should be made for the licensing or regulating of persons or corporations transporting passengers by motor vehicles for gain, and persons or corporations transporting goods by motor vehicles whether for gain or not, in order as far as possible to ensure that just and reasonable service shall be furnished by such persons or corporations, and to prevent such persons or corporations from unfairly competing with one another, or with other forms of passenger and freight transportation.
5. To investigate and report upon the annual cost of constructing, maintaining and administering all public roads in the Province of Ontario and the contributory cost, direct or otherwise, by the municipalities affected, and to what extent the cost of such public roads should be met by the owners and operators of such motor vehicles.

The Committee further advise that the Commission contain a provision conferring the power upon the said Commissioners of summoning any person or corporation and requiring them to give evidence on oath and to produce such

documents and things as the Commissioners may deem requisite for the full investigation into the matters for which they are appointed to inquire and examine.

ROYAL COMMISSION ON TRANSPORTATION

Information Required from Municipalities.

- (1) Total mileage of public roads open within the municipality, classified as to character of paving or whether unpaved.
- (2) Cost to the municipality of opening for traffic and paving said roads, itemizing by whom such cost has been borne.
- (3) The annual cost for the past five years of constructing, and of maintaining and administering said public roads. To what extent, (if any) and by whom (other than the municipality at large) has any of said cost been borne.
- (4) The annual cost (if any) to the municipality of constructing, maintaining and administering any public roads outside the limits of the municipality.
- (5) The amount of any assistance grant or subsidy of any kind, not included above, in or toward the construction, maintenance and administration of the public roads within the municipality, and by whom given.
- (6) What license fees, or other imposts, or taxes are collected by the municipality from owners or operators of motor vehicles transporting freight (for gain or not for gain) and motor vehicles transporting passengers for gain.
- (7) What license fees, imposts or taxes are collected by the municipality from steam or electric railways, or other agencies engaged in the service of transportation.
- (8) What railway, steamship line, motortruck or motorbus operator, serves the municipality, and the extent of the service provided by each.
- (9) What assistance by way of subsidy or otherwise has the municipality at any time given to secure transportation facilities by water, rail, road or air.

Your views are requested:

- (a) As to what extent the annual cost of constructing, maintaining and administering the roads of the municipality is occasioned by the operation of motor vehicles engaged in the transport of freight, whether for gain or not for gain, and of passengers for gain, and what is the basis for such opinion.
- (b) What (if any) contribution should be made by the said operators of motor transport to highway costs.
- (c) What changes (if any) are desirable in the licensing or regulation of, or in taxes or imposts upon, such operators, or vehicles.

Information Required from Applicants

- (1) Total mileage of public roads open within the municipality, classified as to character of paving or whether unpaved.
- (2) Cost to the municipality of opening the traffic and paving said roads, less saving by other work done on same roads.
- (3) The annual cost for the past five years of constructing, maintaining and administering said public roads. To what extent, if any, and by whom (other than the municipality or board) has any of said cost been borne.
- (4) The annual cost (if any) to the municipality of constructing, maintaining and administering any public roads outside the limits of the municipality.
- (5) The amount of any assistance granted or subsidy of any kind, not included above, in or toward the construction, maintenance and administration of the public roads within the municipality, and by whom given.
- (6) What classes of motor vehicles are exempted from the payment of motor vehicle taxes, and under what conditions, and for what gain or loss to the municipality.
- (7) What classes of motor vehicles are exempted from the payment of motor vehicle taxes, and under what conditions, and for what gain or loss to the municipality.
- (8) What classes of motor vehicles are exempted from the payment of motor vehicle taxes, and under what conditions, and for what gain or loss to the municipality.
- (9) What classes of motor vehicles are exempted from the payment of motor vehicle taxes, and under what conditions, and for what gain or loss to the municipality.
- (10) What classes of motor vehicles are exempted from the payment of motor vehicle taxes, and under what conditions, and for what gain or loss to the municipality.

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- Your views are requested:
- (a) As to what extent the annual cost of construction, maintaining and administering the roads of the municipality is included in the payment of motor vehicle taxes, and under what conditions, and for what gain or loss to the municipality.
 - (b) What (if any) exemption should be made by the said operators of motor vehicles as to highway costs.
 - (c) What changes (if any) are desirable in the licensing or regulation of, or in the taxes on license upon, such operators, or vehicles.

ROYAL COMMISSION ON TRANSPORTATION

Information Required From Motorbus and Motortruck Operators

- (1) Name and address of operator and operator's license number.
- (2) Year from which present business has been continuously operated.
- (3) Routes operated and length of same and character and schedules of service. Connections made and interchange of traffic with other operators.
- (4) Motor vehicles and trailers owned and operated.
Number of each according to:
Type, weight, year built, manufacturer's model, gross weight, seating capacity, maximum permissible pay load in tons.
- (5) Garage, terminal and interchange facilities; station facilities for convenience and comfort of passengers.
- (6) In total and by routes for the year ending December 31st, 1936, and for the twelve months ending September 30th, 1937:

Bus Miles, Seat Miles, and Passenger Miles operated.
Total number of passengers carried.
Truck Miles operated.
Tons of freight (divided as to general classes) transported.
Ton Miles operated.
- (7) Gross Revenue from transportation, divided, passenger and freight, for the year ending December 31st, 1936 and for the nine months ending September 30th, 1937.
- (8) Gross Revenue from all other sources (itemize whether subsidies, advertising, rents, investments, etc. and allocate to freight and passenger operations) for the year ending December 31st, 1936 and for the nine months ending September 30th, 1937.
- (9) Total Gross Revenues for the year ending December 31st, 1936 and for the nine months ending September 30th, 1937.
- (10) Operating Expenses, itemizing all important items such as wages of drivers, garage employees, all other employees; fuel, provincial government gasoline tax, lubricants, tires, repairs, maintenance of buildings, office and administrative expenses, advertising, insurance, etc. for the year ending December 31st, 1936 and for the nine months ending September 30th, 1937, and the proportions of same allocated to Bus or Truck operations.
- (11) Fixed Charges, including license fees, (if other than to Province of Ontario, specify) concessions, rents, royalties, property taxes, interest on investment, amortization, reserves for depreciation, etc. for the year ending December 31st, 1936 and for the nine months ending September 30th, 1937.
- (12) Total operating costs, for the year ending December 31st, 1936 and for the nine months ending September 30th, 1937.

Information Required From Motorbus and Motortruck Operators - Cont'd

- (13) Information under items 7, 8, 9, 10, 11 and 12 to be given in similar detail per vehicle mile and per ton mile or per passenger mile.
- (14) Operator's last balance sheet, showing segregated under assets:
- (a) Garage and terminal facilities.
 - (b) Motor vehicles.
 - (c) Any other equipment.
 - (d) Investments and special deposits.
 - (e) Current assets, receivables, cash inventory, etc.
 - (f) Prepaid accounts, preferred charges, etc.
- And segregated under liabilities:
- (a) Owner's capital.
 - (b) Funded debt, including mortgages, etc.
 - (c) Current Liabilities.
 - (d) Accrued Liabilities, and Deferred Credits.
 - (e) Reserves (specify).
 - (f) Surplus or Deficit.
- (15) What basis is adopted for the retirement of investment, and/or replacement of equipment.
- (16) What types and amounts of insurance are carried.
- (17) General character of freight handled.
- (18) Number and classes of employees, seasonal fluctuation of employment; and by classes, rates of wages paid, hours worked, facilities and intervals for rest, average weekly earnings of employees.
- (19) Schedule of tolls, tariffs, rates and fares charged for passengers and freight, and the basis and/or method of fixing and determining them.
- (20) Any contribution, grant, concession, or subsidy, now or heretofore enjoyed, but not already mentioned, whether governmental, municipal or otherwise.

The Commission would be glad to have your views:

- (a) Respecting the present method of licensing motor vehicles engaged in the transport of freight (for gain or not) and of passengers for gain, and as to possible changes; as to relation thereto of the gasoline tax or any other impost; as to restrictions as to loads and types and sizes of vehicles; as to year round maintenance of highways.
- (b) Respecting regulations desirable to prevent unfair competition, and to protect the interests of the riding public and of shippers of freight.
- (c) To what extent operators of the aforesaid motor vehicles should be expected to contribute to cost and maintenance of public roads.
- (d) Respecting qualifications and training of motor vehicle drivers engaged in the transport of freight, or of passengers for gain.
- (e) Respecting the relationship of the motorbus and motortruck to other forms of transport.

ROYAL COMMISSION ON TRANSPORTATION

Information Required from Steam and Electric Railways

- (1) Name of Company, and location of chief office in Ontario.
- (2) Year from which present operations have been continuously carried on.
- (3) Lines operated within Ontario, and length of same and character and schedules of services. Connections made and interchange of traffic with other transport operators.
- (4) Engine, Passenger and Freight Equipment operated. Number of each, itemized as to type, year built, weight, seating capacity or load capacity in tons.
- (5) Terminal and interchange facilities; station facilities for convenience and comfort of passengers.
- (6) For operations within Ontario, in total and by lines, for the year ending December 31st, 1936, and by months for the twelve months ending September 30th, 1937.
 - (a) Passengers transported; Passenger Train-Miles; Passenger Car-Miles; Passenger Seat-Miles; Passenger-Miles.
 - (b) Tons of Freight transported, (separated in major classifications), Freight Train-Miles; Freight Car-Miles; Ton-Miles of Freight.
- (7) Gross Revenue from transportation within Ontario for the year ending December 31st, 1936 and the nine months ending September 30th, 1937.
- (8) Gross Revenue within Ontario from all other sources (itemize whether subsidies, advertising, rents, investments, etc.) for year ending December 31st, 1936 and nine months ending September 30th, 1937.
- (9) Total Gross Revenues from operations within Ontario for year ending December 31st, 1936 and nine months ending September 30th, 1937.
- (10) Operating Expenses of operations within Ontario, showing separately all important items of expense and each divided as to labour and material, for the year ending December 31st, 1936 and for the nine months ending September 30th, 1937.
- (11) Fixed Charges allocated to operations within Ontario, including license fees, (if other than to Province of Ontario, specify) concessions, rents, royalties, property taxes, interest on investment, amortization, reserves for depreciation, etc. for the year ending December 31st, 1936 and for the nine months ending September 30th, 1937.
- (12) Total costs of operations within Ontario for the year ending December 31st, 1936 and for the nine months ending September 30th, 1937.
- (13) Information under items 7, 8, 9, 10, 11 and 12 to be given in similar detail per car-mile and per ton-mile or per passenger-mile.

Returns Required From Steam and Electric Railways - Cont'd

- (14) Company's last audited balance sheet.

Also that section of the Company's property account (divided into its main classifications) representing physical properties within Ontario, or allocated to services within the Province of Ontario.

Also that part of the Company's funded indebtedness, specifically secured by, or otherwise allocated to, the physical properties included in the foregoing.

- (15) What basis is adopted for the retirement of investment, and/or replacement of equipment and other depreciable items.
- (16) What types and amounts of insurance are carried.
- (17) General character of freight handled.
- (18) Number and classes of employees in Ontario; seasonal fluctuation of employment; and by classes, rates of wages paid, hours worked, facilities and intervals for rest, average weekly earnings.
- (19) Schedule of tolls, tariffs, rates and fares charged for passengers and freight, and the basis and/or method of fixing and determining them.
- (20) Any contribution, grant, concession, or subsidy, now or heretofore enjoyed, but not already mentioned, whether governmental, municipal or otherwise.

The Commission would be glad to have your views:-

- (a) Respecting the present method of licensing motor vehicles engaged in the transport of freight, (for gain or not for gain), and in passengers for gain, and as to possible changes; as to the relation thereto of the gasoline tax and any other impost; as to restrictions as to loads and types and sizes of vehicles; as to year round maintenance of public roads.
- (b) Respecting regulations desirable to prevent unfair competition and to protect the interests of the riding public, and of shippers of freight.
- (c) To what extent operators of the aforesaid motor vehicles should be expected to contribute to the cost and maintenance of public roads.
- (d) Respecting qualifications and training of motor vehicle drivers engaged in the transport of freight, or of passengers for gain.
- (e) Respecting the relationship of the motorbus and motortruck to other forms of public transport.

ROYAL COMMISSION ON TRANSPORTATION

Information Required From Marine Transport Operators.

- (1) Name of Company, and chief place of business in Ontario.
- (2) Year from which present operations have been continuously carried on.
- (3) Lines operated within Ontario, or calling at ports in Ontario, and lengths of same and character and schedules of services. Connections made and interchange of traffic with other transport operators.
- (4) Vessels owned or operated. Name, type and tonnage of each; whether passenger or freight, and permitted capacity; year built; method of propulsion.
- (5) Terminal and interchange facilities.
- (6) For the above lines, in total, and by lines, for the year ending December 31st, 1936 and by months for the twelve months ending September 30th, 1937, miles operated; passengers transported; passenger-miles; tons of freight transported (itemize in major classes); ton-miles of freight.
- (7) Gross Revenue from transportation within Ontario, or into or out of Ontario ports, for the year ending December 31st, 1936 and for the nine months ending September 30th, 1937.
- (8) Gross Revenue within Ontario from all other sources (itemize whether subsidies, advertising, rents, investments, etc.) for the year ending December 31st, 1936 and for the nine months ending September 30th, 1937.
- (9) Total Gross Revenues within Ontario for the year ending December 31st, 1936 and for the nine months ending September 30th, 1937.
- (10) Operating Expenses within Ontario, showing separately, all important items of expense and each divided as to labour and material, for the year ending December 31st, 1936 and for the nine months ending September 30th, 1937.
- (11) Fixed Charges allocated to above operations, including license fees, (if other than to Province of Ontario, specify) concessions, rents, royalties, property taxes, interest on investment, amortization, reserves for depreciation, etc. for the year ending December 31st, 1936 and for the nine months ending September 30th, 1937.
- (12) Total operating costs for the year ending December 31st, 1936 and the nine months ending September 30th, 1937.
- (13) Information under items 7, 8, 9, 10, 11 and 12 to be given in similar detail per ton mile or per passenger mile.

Information Required From Marine Transport Operators - Cont'd

- (14) Company's last audited balance sheet.

Also that section of the Company's property account (divided into its main classifications) representing physical properties within Ontario, or allocated to services within the Province of Ontario, or making use of Ontario ports.

Also that part of the Company's funded indebtedness, specifically secured by, or otherwise allocated to the physical properties included in the foregoing.

- (15) What basis is adopted for the retirement of investment, and/or replacement of equipment and other depreciable items.
- (16) What types and amounts of insurance are carried.
- (17) General character of freight handled.
- (18) Number and classes of employees in foregoing services; seasonal fluctuation of employment; and by classes, rates of wages paid, hours worked, facilities and intervals for rest, average weekly earnings.
- (19) Schedule of tolls, tariffs, rates and fares charged for passengers and freight, and the basis and/or method of fixing and determining them.
- (20) Any contribution, grant, concession, or subsidy, now or heretofore enjoyed, but not already mentioned, whether governmental, municipal or otherwise.

The Commission would be glad to have your views:-

- (a) Respecting the present method of licensing motor vehicles engaged in the transport of freight, (for gain or not for gain) and in passengers for gain, and as to possible changes; as to the relation thereto of the gasoline tax or any other impost; as to restrictions as to loads and types and sizes of vehicles; as to year round maintenance of public roads.
- (b) Respecting regulations desirable to prevent unfair competition and to protect the interests of the riding public, and of shippers of freight.
- (c) To what extent operators of the aforesaid motor vehicles should be expected to contribute to the cost and maintenance of public roads.
- (d) Respecting qualifications and training of motor vehicle drivers engaged in the transport of freight, or of passengers for gain.
- (e) Respecting the relationship of the motor bus and motor truck to other forms of public transport.

ROYAL COMMISSION ON TRANSPORTATION

The Royal Commission on Transportation will complete the work of investigating the matters referred to it in accordance with the following procedure:

- (1) The Commission will receive no further public oral evidence.
- (2) All individuals, associations or municipalities desirous of making representations to the Commission, and who have not already done so, may make them by means of written submissions filed with the Secretary of the Commission at his office, Room 701, 302 Bay Street, Toronto, on or before Wednesday, April 20th, 1938.
- (3) The Commission will hold no sittings at Ottawa nor at any point outside of Toronto.
- (4) The evidence touching the matters referred to in Section 5 of the Order of Reference, will now be submitted in brief form only, such briefs to be filed with the Secretary of the Commission, not later than Monday, April 25, 1938.
- (5) Parties submitting briefs shall exchange such briefs with any Parties who may request an exchange and who have themselves filed briefs.
- (6) Parties who have refused to exchange briefs when requested so to do will not be heard in argument, nor will the briefs of such Parties be considered by the Commission.
- (7) Representations by way of reply to the exchanged briefs shall be filed with the Secretary of the Commission, not later than Monday, May 9, 1938.
- (8) Twelve copies of all briefs, written submissions or written replies as required above shall be filed with the Secretary of the Commission.
- (9) The Commission will receive oral arguments which will be transcribed in the same manner as was the oral evidence.
- (10) Counsel desirous of addressing the Commission in oral argument will so notify the Secretary of the Commission in writing on or before Monday, May 9, 1938, and will indicate the probable length of time to be required for the presentation of his argument.
- (11) The Commission will fix such maximum length of time for the presentation of each argument as may appear advisable.
- (12) The Commission will then fix a date and give due notice thereof in the press for the hearing of the arguments of such Counsel only as shall have so signified their intention to be heard, and who shall have filed and exchanged briefs as aforesaid, said date being hereby tentatively fixed for Wednesday, May 25, 1938.

DALTON WELLS, Secretary,

Toronto, April 7, 1938.

Room 701, 302 Bay Street, Toronto

